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FOLEY AND LARDNER LLP
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OFFICE OF PETITIONS

In re Patent No. 7,687,092
Camelot et al.
Issue Date: March 30, 2010
Application No. 10/631,831
Filed: August 1, 2003
Attorney Docket No. 087258-0301
Title: ENCAPSULATED CRYSTALLINE
LACTIC ACID

:
: DECISION ON REQUEST FOR
: RECONSIDERATION OF
: PATENT TERM ADJUSTMENT
: AND NOTICE OF INTENT
: TO ISSUE CERTIFICATE OF
: CORRECTION
:

This is a decision on the petition filed on May 28, 2010, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by one thousand eight hundred eighty-two (1,882) days.

The petition to correct the patent term adjustment indicated on the above-identified patent is **GRANTED** to the extent indicated.

The period of adjustment to which the patent is entitled under 37 CFR 1.702(a) is 728 days.

The period of adjustment to which the patent is entitled under 37 CFR 1.702(b) is 1337 days.

The time taken up by the notice of appeal is excluded from the period of B-delay pursuant to 37 CFR 1.703(b)(4) in connection with the Notice of Appeal filed September 28, 2007. The reduction of 644 days commenced September 28, 2007; the date that the Notice of Appeal was filed, and ended July 2, 2009, the day the last decision by the Board of Patent Appeals under 35 U.S.C. 141. See, 37 CFR 1.703(b)(4).

The period of adjustment to which the patent is entitled under 37 CFR 1.702 (e) is 644 days.

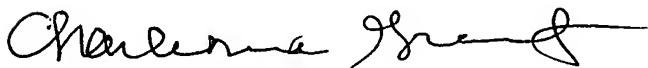
Patentee's delay totals 124 days.

In view thereof, the patent is entitled to an overall adjustment of 1941 days.

The application is being forwarded to the Certificate of Corrections Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by one thousand nine hundred forty-one (1,941) days.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e) for consideration of the application for patent term adjustment under 37 CFR 1.705(d). No additional fees are required.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3215.



Charlema Grant
Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,687,092 B2

DATED : March 30, 2010

DRAFT

INVENTOR(S) : Camelot et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 1770 days

Delete the phrase "by 1770 days" and insert – by 1941 days--